

Message Text

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ORIGIN ORM-02

INFO OCT-01 ISO-00 DHA-02 EUR-12 SS-15 SSO-00 NSC-05

NSCE-00 VO-03 SCA-01 CIAE-00 INR-07 INRE-00 PRS-01

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DRAFTED BY D/HA/ORM:LARTHUR:CML

APPROVED BY D/HA - JLCARLIN

EUR/SE - ALAPORTA (DRAFT)

EUR/EE - KBROWN (DRAFT)

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FM SECSTATE WASHDC

TO AMCONSUL ISTANBUL NIACT IMMEDIATE

INFO AMEMBASSY ATHENS PRIORITY

AMEMBASSY ANKARA

AMEMBASSY PRAGUE

USMISSION GENEVA

C O N F I D E N T I A L STATE 180432

E.O. 11652: XGDS-3 DECLAS UNKNOWN

TAGS: SREF, PINS, CVIS, CZ, TU (HARMINC, MILAN AND FAMILY)

SUBJECT: REQUEST FOR REFUGEE STATUS

REF: ISTANBUL 2709 NOTAL

DELIVER AT OPENING OF BUSINESS

1. WE HAVE CONSISTENTLY HELD THE OPINION THAT ASYLUM IS THE RIGHT AND RESPONSIBILITY OF THE GOVERNMENT OF THE COUNTRY IN WHICH THE REQUEST IS MADE. NOTWITHSTANDING THE RECENT DIFFICULTIES ENCOUNTERED IN GOT'S RESPONSE TO SIMILAR REFUGEE CASES, TURKEY IS A SIGNATORY TO THE CONVENTION AND PARTY TO THE PROTOCOL RELATING TO THE STATUS OF REFUGEES AND CONTINUES TO HAVE INTERNATIONAL OBLIGATIONS IMPOSED UPON IT REGARDING ITS TREATMENT OF REFUGEES.

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TIONS IMPOSED UPON IT REGARDING ITS TREATMENT OF REFUGEES.

UNHCR CAN BE REQUESTED TO ACT IN SUBJECTS' BEHALF IN ORDER TO SAFEGUARD AGAINST FORCIBLE REPATRIATION TO CZECHOSLOVAKIA AND ASSIST IN OTHER THIRD COUNTRY PLACEMENT, WHICH MAY INCLUDE MOVEMENT TO ATHENS THROUGH REGULAR REFUGEE CHANNELS.

2. HOWEVER, IF MR. HARMINC AND FAMILY AND TRAVELING COMPANIONS CHOOSE TO PROCEED TO ATHENS, IT SHOULD BE LEFT TO THEIR DISCRETION TO DO SO. PRESUMABLY, THEY ALREADY

HAVE VISAS THAT MAY BE REQUIRED TO ENTER GREECE AND WOULD BE ENTERING AS TOURISTS. AS CZECHS, THEY MAY QUALIFY TO APPLY FOR U.S. CONDITIONAL ENTRY UNDER SECTION 203(A)(7) OF THE INA AND MAY APPLY FOR SUCH PROCESSING AT ATHENS. HOWEVER, EACH APPLICANT MUST ALSO BE ADMISSABLE TO U.S. UNDER THE OTHER PROVISIONS OF THE INA. COMMUNIST PARTY MEMBERSHIP, UNLESS APPLICANT HAS BEEN ACTIVELY OPPOSED TO CP FOR AT LEAST THE PREVIOUS FIVE YEARS OR HAS BEEN DETERMINED TO HAVE BEEN AN INVOLUNTARY MEMBER, IS GROUNDS FOR INELIGIBILITY. SINCE CP MEMBERSHIP MAY BE INVOLVED IN MR. HARMINC'S CASE, THEY SHOULD BE ADVISED TO CONTACT UNHCR IN ATHENS AND APPLY FOR REFUGEE STATUS IN GREECE AS SOON AS POSSIBLE SO THAT THEY CAN BE PUT IN PROPER REFUGEE CHANNELS. UNHCR COULD THEN ASSIST THEM IN OBTAINING REFUGEE STATUS IN GREECE OR OTHER THIRD COUNTRY RESETTLEMENT IF FOUND INADMISSABLE FOR ENTRY INTO U.S.

3. EMBOFF SHOULD CANDIDLY DISCUSS BOTH OPTIONS WITH HARMINC; THAT ANY REQUESTS FOR ASYLUM AND UNHCR ASSISTANCE IN GREECE, AND APPLICATIONS FOR U.S. CONDITIONAL ENTRY WOULD BE AT THEIR INITIATIVE; AND THAT WE WOULD ASSIST AS MUCH AS FEASIBLE IN OBTAINING UNHCR ASSISTANCE (RE PARA 1) IF THEY DECIDE TO REMAIN IN TURKEY. KISSINGER

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